

Serial No. 10/072,037
18 Nov 2005 Reply to
18 May 2005 Office Action

Remarks

After the foregoing amendment, claims 1 – 6, 8 – 19, 36 – 37, and 40 are pending, with claims 1, 36, and 40 being the independent claims. Claims 1, 2, 13, 16 and 36 have been amended. Claims 7, 20 – 35 and 38 – 39 have been cancelled. New claim 40 has been added. Applicant respectfully requests entry of the amendment and reconsideration of the pending claims in view of the above amendment and the following remarks.

Claim Objections

Claim 16 is objected to because of informalities in the claim language. The claim has been amended accordingly and Applicant respectfully requests that the objection be withdrawn.

35 USC §112

Pending claims 13 and 16 remain rejected under section 112 for lacking antecedent basis or being indefinite. Applicant has amended the claims 13 and 16 to provide antecedent basis where necessary. Applicant asserts that none of these claim amendments are narrowing amendments in view of Festo.

Applicant thanks the Examiner for the withdrawal of the previous section 112 rejections.

35 USC §102

Claims 1, 5, 6, 9 – 15, and 36 – 37 remain rejected under section 102(e) as being anticipated by U.S. Publication No. 2002/0147,805 (“Leshem”). With respect to independent claims 1 and 36 Leshem does not fairly teach or disclose the claimed invention.

In the office action, it appears that the Examiner fails to appreciate the merits and importance of Applicant’s arguments which point to the difference between utilizing data contained in a conventional log file (as taught by Leshem), and requesting that a link-tracking server create a record in a link tracking file by way of instructions embedded in a Web page. Specifically, Leshem teaches a web site analysis tool which utilizes a conventional Web page usage log file, as disclosed in the passages at paragraphs 007, 008, 085, 179, 199, 200, and 202. The usage log file is generated automatically by the web site in the conventional fashion and contains node and link activity data, reflective of how the specific web site is browsed by users thereof. Leshem does not teach how the source code for a Web page (as opposed to actions of the web server) can cause the tracking of instances of Web page requests by a variety of users, and how to create records in a tracking file

Serial No. 10/072,037
18 Nov 2005 Reply to
18 May 2005 Office Action

according to instructions embedded in the source code of a Web page. In other words, Leshem does not teach that the source code for a Web page can initiate the sending of a request that includes an instruction that a link-tracking server will carry out to record Web page link-tracking information in a link-tracking file.

Furthermore, Leshem does not teach that a tracking enabled Web page has embedded a request (in a form of a programming language code) that the Web page can send to a link-tracking server computer, wherein the request includes an instruction to the link-tracking server to record link-tracking information in a link-tracking file. In other words, Leshem does not teach or disclose that Web pages themselves have ability to send requests to record the Web pages link-tracking information in a link-tracking file by the link-tracking server. To the contrary, Leshem relies on conventional web server log files, which are commonly and automatically maintained by web servers. These commonly maintained conventional log files are kept up through the inherent functionality of the Web server. In contrast, the claimed invention requires that an instruction to record link tracking information be contained in a tracking enabled webpage and that the link-tracking files are updated only upon the link-tracking server receiving and executing the instruction.

With regard to the claim 5, Leshem teaches how to process conventional web page log tracking generated by a server or proxy, whereas the present request teaches how an independent content provider could serve a web page containing the special "link tracking code" and how the link usage can be measured without the need for processing server or proxy side information. Again, as in claim 1, a link-tracking server can make the determination of a list of links or a selected link without the accessing of the server log or proxy information.

With regard to claims 5, 6, 9 – 15, and 37, again, Leshem describes a method for processing post link selection information stored in the server log and proxy and creating maps of activities with respect to the visited links. In contrast, the present request describes a method for capturing and measuring client side pre- and post- selection data, but before the document data is requested from the server. In other words, the purpose of the present method and system is to capture the link information on the client/browser site, not on the server or proxy side.

In summary, the claimed inventions in independent claims 1 and 36 each require that a request is sent to a link-tracking server and that the request includes a request to record link-tracking

Serial No. 10/072,037
18 Nov 2005 Reply to
18 May 2005 Office Action

information in a link-tracking file. The general log functions of a web server disclosed by Leshem do not teach this aspect of the invention. Furthermore, the claimed inventions in independent claims 1 and 36 each require that the request is originally contained in a web page. Nowhere does Leshem describe including a request in a tracking-enabled web page. Accordingly, Applicant respectfully submits that Leshem does not teach the claimed invention as set forth in independent claims 1 and 36.

35 USC §103

The cited secondary references do not overcome the failings of Leshem to teach the inventions as set forth in the independent claims. Leshem and Bruck in combination do not make obvious the "client-side" link information collection and client-side scripting technology utilized by Applicants because the underlying client-side link technology was not yet available at the time of Leshem and Bruck's work. Accordingly, it is axiomatic that the dependent claims are also presently in condition for allowance and a notice of allowance is respectfully requested.

New Claim 40

Applicant has added new claim 40 that is directed toward an embodiment of the invention where a tracking enabled web page includes a link tracking code for a plurality of links contained in the content of the tracking enabled web page. Each link tracking code, when the corresponding link is selected, causes the browser to send a link tracking request to a link tracking server. That link tracking request is separate from the web page content request that is also sent when the corresponding link is selected. Accordingly, two requests are sent when a link with a corresponding link tracking code is selected on a tracking enabled web page.

In contrast, the teachings in Leshem focus on sever side (or proxy) information reflecting what happens *after* a request is sent to the web site server. The invention set forth in claim 40 is concerned with what happens *before* the selection is transmitted to the web site server. Leshem focuses on server side (or proxy) information in order to build maps of links invoked by users from the given server, whereas claim 40 focuses on requests to record link-tracking information in order to capture and measure information about the given link. Leshem teaches the use of conventional web page logs for generating, displaying and analyzing a web site activity for a given web site, whereas the present invention in claim 40 focuses on requesting and recording information about

Serial No. 10/072,037
18 Nov 2005 Reply to
18 May 2005 Office Action

Web page links from a link point of view. Accordingly, Leshem does not teach the invention in claim 40.

As disclosed in the paragraphs 007, 008, 200 and 202, Leshem teaches the use of conventional web page log tracking for generating, displaying and analyzing data reflective of what Web links were transmitted to a web site. In one embodiment, this web site analysis tool can generate a graphical site map depicting the nodes and links of the web site browsed by users thereof. The web site usage data may, for example, include node and link activity data reflecting how often specific nodes and links of the web sites were accessed or used as entry points or as exit points. Alternatively, Leshem's web site usage data may include navigation paths followed by specific users.

In contrast, the method of claim 40 is directed toward a link tracking code that causes a separate link tracking request to be sent when a user selects a link on a tracking enabled web page. Because the claimed method causes a separate link tracking request to be sent, the link tracking server may more accurately track the actual user requests for a specific link, for example when the content server is unavailable, the conventional web logs on that server would not include the user's selection of the link while the link tracking server in claim 40 would include the user's selection. Accordingly, Leshem does not teach the claimed invention and Applicant believes that claim 40 is presently in condition for allowance.

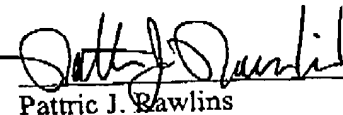
Serial No. 10/072,037
18 Nov 2005 Reply to
18 May 2005 Office Action

Conclusion

If the Examiner has any questions or comments regarding the above Amendments and Remarks, the Examiner is respectfully urged to contact the undersigned at the number listed below.

Respectfully submitted,
Procopio, Cory, Hargreaves & Savitch LLP

Dated: November 18, 2005

By: 
Patric J. Rawlins
Reg. No. 47,887

Procopio, Cory, Hargreaves & Savitch LLP
530 B Street, Suite 2100
San Diego, California 92101-4469
(619) 238-1900